App. F. IX-4]

Previous References. (1941.) Legis File No. 241
Serial Nos. 83, 84

Later References.

(6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for May 1942

SUBJECT.

Reciprocal arrangements under Rule 26 of the Defence of India Rules from

To,
The Secretary to the Hon'ble the Resident in Mysore

WD 03999—GPB—500—11-9-41

No. Pol. 1446 Legis 2-41-84 dated 4th Feb 1942

Forwards a Reply to the Residency

Secy 2-41-83 681/42

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

Confidential. No. F.17-41/W.

OFFICE OF THE SECRETARY Mr. T.V 1942 RESIDENTIAL ASSTT.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore.

CHIEF SECRETARY 29. JAN. 1942 GOVT. OF MYSORE.

Dated Bangalore, the 29th January 1942.

Reciprocal arrangements for preventing persons against whom it is proposed to take action under Rule 26 of the Defence of India Rules from finding refuge in Indian States. ----

SIR,

In continuation of my letter No.F.17-41/W, dated the 17th June 1941, I am directed to state that the Government of India have since asked the Provincial Governments to take early steps to implement the procedure outlined in the first paragraph of my letter No.F. 17-41/w dated the 4th March 1941. I am to request that, if there is no objection, the Government of Mysore will be so good as to arrange for its early introduction in the State.

I have the honour to be,
Sir,
Your most obedient servant,

M. Daman Rao.
for SECRETARY TO THE RESIDENT.

VN

Regarding reciprocal arrangement under Rule 26 of the Defence of India Rules

General and Revenue Secretariat
R. A. & L. C.

File No. 681/RL of 194 App. F. III-2

Serial No.

From

The Secretary to the Govt of the Resident in Mysore

Letter No F.17-41/W dated 29th January 1942

Regarding reciprocal arrangements for preventing persons against whom it is proposed to take action under Rule 26 of the Defence of India Rules from finding refuge in Indian States.

Submitted

The letter and the connected returns are put up for perusal.

JV. 31-1-42 31.1.42

In March 1941, the Residency stated that persons against whom action under rule 26 or rule 129 of the Defence of India Rules was proposed to be taken in British India absconded to Indian States to avoid arrest and that the Government of India considered that this difficulty could be overcome if, in such circumstances, the Native State concerned would take action under their version of the Defence of India Rules directing such person to remove himself to British India by a specified route, the British authorities arranging for their reception on their arrival in British India. In reply, this Government stated that they were agreeable to this arrangement which was understood to be reciprocal. The Residency now requ

NOTE—Contn. Sheet.

File No. 681/RL of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

DIWAN'S OFFICE
6759

that the Government of Mysore would take steps to implement this procedure and arrange for its early introduction in the State. It is submitted that agreement to the proposal having been intimated to the Residency, no further action is necessary as the conditions under which the Indian State concerned has to take action under rule 26 are: (1) a request by the Provincial Government concerned, and (2) satisfying itself that there are good reasons for the return of the individual to British India. The power under rule 26 is a power that is vested in Government and can be availed of by this Government as and when an occasion for its use in the circumstances outlined by the Residency arises.

A draft to the Residency is also put up for consideration.

SECY. LAW DEPT.
1016
2 FEB 1942
GOVT OF MYSORE

2.2.42

Law. Secy)

May be approved

Minister for Law.)

Hm 2/2/42.

2.2.42

4529
3.2.42

J. 2.42

Dewan)

Hm 3.2.42

3.2.42

8/2/42

Hm 4.2.42

Issue

4.2.42

Continuation Sheet. File No. / Current No. 681/42 of Page.

Issued No pol 1446. Legis 2-41-84 dated 4-2-1942 to the Secretary to the Hon'ble the Resident in Mysore

If approved this file will be recorded

W.
5-5-42

B

W.
5-5-42

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Confidential

General and Revenue Secretariat.

Dated, Bangalore, 4th February 1942.

No. Pol 1601 Reg 2-41-84

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Secretary to the Hon'ble the Resident in Mysore,
BANGALORE.

Subject:- Reciprocal arrangements for preventing persons against whom it is proposed to take action under Rule 26 of the Defence of India Rules from finding refuge in Indian States.

Sir,

With reference to your letter No. F. 17-41/W, dated 29th January 1942, on the above subject, I am directed to invite reference to this office letter No.Pol.1601 dated 11th March 1941 intimating that this Government are agreeable to the arrangement suggested in your letter No. F. 17-41/W dated 4th March 1941, and to state that as and when any case of the kind under consideration arises, and provided that the conditions set out in the first paragraph of your letter of the 4th March 1941 are satisfied, this Government will take action as suggested therein.

It is understood that this agreement is reciprocal.

I have the honour to be,
Sir,
Your most obedient servant,

4.2.42

Secretary to Government,
Law Department.

HKR/2.

Draft) Pol 1446 d 5 Feb. 1942

Confidential

To

The Secretary to the Hon'ble the Resident
in Mysore.

Subject:- Reciprocal arrangements for preventing persons against whom it is proposed to take action under Rule 26 of the Defence of India Rules from finding refuge in Indian States.

Sir,

With reference to your letter No.F.17-41/W dated 29th January 1942, on the above subject, I am directed to invite reference to this office letter No.Pol.1601 dated 11th March 1941 intimating that this Government are agreeable to the arrangement suggested in your letter No.F.17-41/W. dated 4th March 1941 and to state that as and when any case of the kind under consideration arises, and provided that the conditions set out in the first paragraph of your letter of the 4th March 1941 are satisfied, this Government will take action as suggested therein. ~~No further action in this behalf appears to be called for.~~

It is understood that this ~~Government~~ agreement is reciprocal.

I have, etc.,

Hm 2/2/42

Chief Secretary to Government.